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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

GREEN RENEWABLE ORGANIC AND
WATER HOLDINGS, LLC d/b/a GROW
HOLDINGS AND W. QUAY HAYS,

Plaintiffs,

vs.

BLOOMFIELD INVESTMENTS, LLC,
and DOES 1 through 20, inclusive,

Defendants.

Case No. 4:21-cv-07181-HSG

Related Case: 4:21-mc-80306-HSG

**STIPULATION RESCHEDULING
INITIAL CASE MANAGEMENT
CONFERENCE UNTIL AFTER
HEARING ON MOTIONS TO
CONFIRM ARBITRAL
AWARDS; ORDER (as modified)**

Judge: Hon. Haywood S. Gilliam, Jr.

1 WHEREAS, on August 18, 2021, Green Renewable Organic and Water Holdings, LLC
2 d/b/a Grow Holdings (“Grow Holdings”) and W. Quay Hays served a complaint filed in the
3 Superior Court of California for the County of Napa seeking declaratory relief on Bloomfield
4 Investments, LLC (“Bloomfield”); and

5 WHEREAS, on September 16, 2021, Bloomfield removed the state court action to the
6 district court; and

7 WHEREAS, on September 23, 2021, Bloomfield filed a motion to dismiss the complaint
8 in Case No. 4:21-cv-07181-HSG with a hearing date noticed for February 10, 2022; and

9 WHEREAS, on October 21, 2021, Grow Holdings and W. Quay Hays filed an amended
10 complaint in Case No. 4:21-cv-07181-HSG; and

11 WHEREAS, on November 12, 2021, Bloomfield filed an answer to the amended
12 complaint and a motion to confirm foreign arbitral awards in Case No. 4:21-cv-07181-HSG, with
13 a hearing date noticed for March 24, 2022; and

14 WHEREAS, on December 23, 2021, Bloomfield filed a petition to confirm and enforce
15 foreign arbitral awards against Grow Land and Water LLC (“Grow Land”) and Kings County
16 Ventures LLC (“KCV”) in Case No. 4:21-mc-80306-HSG; and

17 WHEREAS, on December 27, 2021, Bloomfield filed an administrative motion to relate
18 Case No. 4:21-cv-07181-HSG and Case No. 4:21-mc-80306-HSG; and

19 WHEREAS, on January 3, 2022, Grow Holdings and W. Quay Hays filed a response in
20 Case No. 4:21-cv-07181-HSG stating no opposition to the administrative motion to relate; and

21 WHEREAS, on January 12, 2022, the Court in Case No. 4:21-cv-07181-HSG granted the
22 unopposed administrative motion to relate; and

23 WHEREAS, on January 20, 2022, Bloomfield, Grow Holdings, W. Quay Hays, Grow
24 Land and KCV stipulated to consolidate the hearing on the Motion to Confirm Foreign Arbitral
25 awards against Grow Holdings and W. Quay Hays scheduled for March 24, 2022 with the
26 hearing on the Petition to Confirm and Enforce Foreign Arbitral Awards against Grow Land and
27 KCV; and
28

1 WHEREAS, on February 2, 2022, the Court set a joint hearing on the Motion to Confirm
2 Foreign Arbitral Awards in Case No. 4:21-cv-07181-HSG and the Petition to Confirm Foreign
3 Arbitral Awards in Case No. 4:21-mc-80306-HSG for April 7, 2021 at 2:00 p.m.; and

4 WHEREAS, on February 3, 2022, the Court moved the initial case management
5 conference, previously set for March 24, 2022, to April 7, 2022 at 2:00 p.m., the same day as the
6 hearings on the Motion and Petition to Confirm Arbitral Awards; and

7 WHEREAS, on March 17, 2022, counsel for the parties met by videoconference to
8 discuss the initial case management conference and accompanying requirements under Rule 26.
9 On the video conference counsel for the parties discussed whether this case falls under Rule
10 (26(a)(1)(B)(ix), which is the exception to Rule 26 for an action to enforce an arbitration award,
11 and counsel also discussed the potential impact of the hearing on the Motion and Petition to
12 Confirm Arbitral Awards on Grow Holdings' and W. Quay Hays' Declaratory Relief action; and

13 WHEREAS, the parties agree that, while reserving each party's respective position as to
14 whether this case falls under (26(a)(1)(B)(ix), it would be most efficient and cost effective to
15 discuss this issue with the Court at the April 7, 2022 hearings on the Motion and Petition to
16 Confirm Arbitral Awards prior to gathering all of the pertinent information and drafting all
17 documents required by Rule 26 prior to the initial case management conference;

18 WHEREAS, the parties further agree that it would be most efficient and cost effective to
19 see what affect, if any, the hearings on the Motion and Petition to Confirm Arbitral Awards have
20 on the Declaratory Relief action prior to gathering all of the pertinent information and drafting all
21 documents required by Rule 26 prior to the initial case management conference;

22 WHEREAS, the parties agree that there is good cause for the Court to reschedule the
23 initial case management conference currently set for April 7, 2022 in the interest of efficiency,
24 cost effectiveness and conservation of judicial resources; and

25 WHEREAS, the parties have not previously asked the Court to change the date of the
26 initial case management conference;

1 IT IS THEREFORE STIPULATED AND AGREED that, if agreeable with the Court, the
2 parties' initial case management conference will be moved from April 7, 2022 to May 19, 2022
3 or as soon thereafter as the Court's schedule permits.
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5 DATED: March 22, 2022

Respectfully submitted,

7 By: /s/ Mark D. Flanagan
8 MARK D. FLANAGAN


9 Attorneys for Plaintiffs
10 *Green Renewable Organic and Water*
11 *Holdings, LLC d/b/a Grow Holdings and W.*
12 *Quay Hays*

13 By: /s/ Charles C. Correll, Jr.
14 CHARLES C. CORRELL, JR.

15 Attorneys for Defendant
16 *Bloomfield Investments, LLC*

17 **IT IS SO ORDERED** except the telephonic initial case management conference will
18 be held on May 24, 2022 at 2:00 p.m.

19 Date: March 23, 2022

20 
21 Hon. Haywood S. Gilliam, Jr.
22 United States District Judge
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